

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

1/9/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CR05-00050SOM

CASE NAME: USA v. (03) Rodirick Tuliao aka "Ricky"

ATTYS FOR PLA: Kenneth Sorenson

ATTYS FOR DEFT: (03) Glenn Choy

PROBATION

OFFICER: Anne Shimokawa

JUDGE: Susan Oki Mollway

REPORTER: Debra Chun

DATE: 1/9/2006

TIME: 1:35-2:35pm

COURT ACTION: EP:

1. Sentence as to Counts I & III of the Indictment as to Defendant (03) Rodirick Tuliao
2. Government's Motion For Downward Departure as to Defendant (03) Roderick Tuliao

Defendant present, not in custody

Government's Motion For Downward Departure is hereby granted

Allocution by the defendant

ADJUDGED:

Imprisonment: 43 Months as to each count, to run concurrently

Supervised Release: 3 Years as to each count, to run concurrently

No Fine imposed

Special Assessment: \$200 (\$100 as to each count)

CONDITIONS:

1. That the defendant shall abide by the standard conditions of supervision.

2. That the defendant not commit any crimes, federal, state, or local (mandatory condition).
3. That the defendant not possess illegal controlled substances (mandatory condition)
4. That the defendant shall cooperate in the collection of DNA as directed by the probation officer.
5. That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug tests per month during the term of supervision, unless there is a positive drug test, in which event the maximum shall increase to up to one valid drug test per day.
6. That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
7. That the defendant execute all financial disclosure forms, and provide the Probation Office and the Financial Litigation Unit of the U.S. Attorney's Office access to any requested financial information to include submitting to periodic debtor's examinations as directed by the Probation Office.
8. That the defendant shall submit his person, residence, place of employment, or vehicle to a search conducted by the U.S. Probation Office at a reasonable time and in a reasonable manner, based upon reasonable suspicion of contraband or evidence of a violation of a condition of supervision. Failure to submit to a search may be grounds for revocation. The defendant shall warn any other resident that the premises may be subject to search pursuant to this condition.

Defendant advised of his right to appeal

JUDICIAL RECOMMENDATIONS: 1) defendant requests Lompoc, California due to the proximity of family; 2) Educational Programs.

Mittimus is stayed until 6/5/06. Defendant to self surrender @ 10:00 a.m. 6/5/06 at the facility designated by the BOP. The time is the time at the facility.

Defendant to remain out on bail with the same conditions to apply

Submitted by: Shari Afuso, Courtroom Manager